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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,361	05/16/2005	Erwin Weh	JFIE5.004APC	1080
20995 7590 07/29/2008 KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614				
EXAMINER RIPLEY, JAY R				
ART UNIT 3679		PAPER NUMBER		
NOTIFICATION DATE 07/29/2008		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcartee@kmob.com  
eOAPilot@kmob.com

### Office Action Summary

**Application No.**

10/506,361

**Applicant(s)**

WEH ET AL.

**Examiner**

JAY R. RIPLEY

**Art Unit**

3679

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-5 and 7-9 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 April 2008 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date 04/16/2008
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Individual Patent Application
- 6) ☒ Other: Attachments A-C

### **DETAILED ACTION**

Claims 1, 3-9 are pending. No claims have been withdrawn. Claim 2 has been cancelled.

#### ***Information Disclosure Statement***

The information disclosure statement (IDS) filed on 04/16/2008 was considered by the examiner. The Examiner did not consider citations 34-35, i.e. "US App. No. 11/632,329" and "US App. No. 11/915,260", since U.S. Applications are not published documents available to the public, the contents of which applications are only available to the public upon printing of the associated U.S. Pre-Grant Publication.

#### ***Drawings***

The drawings were received on 04/16/2008. These drawings are not acceptable.

The drawings are objected to because there are drawings contain blackened areas, specifically in Figures 2 and 3. The Examiner notes that 37 CFR § 1.84(m) states: "Solid black shading areas are not permitted, except when used to represent bar graphs or color."

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "wherein the annular groove is formed in a shoulder between the sliding sleeve and a spacer sleeve" in claim 6, lines 1-2, of must be shown or the feature(s) canceled from the claim(s). Where is the "shoulder between the sliding sleeve and a spacer sleeve" in the drawings? It appears to Examiner that the "annular

groove” is formed between a shoulder of the “sliding sleeve” and the “spacer sleeve”. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

Claim 6 is objected to since the recitation in line 2 of “a spacer sleeve” should be --the spacer sleeve--.

Claim 6 is objected to since a lack of clarity is created by the recitation in lines 1-2 of “wherein the annular groove is formed in a shoulder between the sliding sleeve and a spacer sleeve”. The noted recitation is either inaccurate and/or misdescriptive. It is unclear as to how the

“annular groove”, part 42 of the instant invention, is “formed in” the observed shoulder of the “sliding sleeve”, part 18 of the instant invention. It appears to Examiner that the “annular groove” is formed between a shoulder of the “sliding sleeve” and the “spacer sleeve”. In the reply to this Office action, the Applicant should amend the language of claim 6 to clearly recite the structure as shown in the drawings, e.g. original Figure 1. The Examiner notes that the term “shoulder” is not found in the original specification of the instant invention. For purposes of Examination, the noted claim limitation is being interpreted to indicate that the annular groove is formed between a shoulder of the sliding sleeve and the spacer sleeve.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-5, 8, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Lacroix et al (U.S. 5,630,570).

In regard to claims 1, 3-5, 8, and 9, Lacroix et al disclose a connection coupling for transferring fluids, the coupling having an inlet end, an outlet end, and a lumen (the “inlet” and “outlet” noted in Figure 1, see Attachment A, and the passage through the coupling as clearly observed in Figure 1, see Attachment A) therebetween, the coupling comprising:

collet chucks (parts 8a as observed in Figures 1 and 2, see Attachment A and Attachment B);

a sliding sleeve (as noted in Figure 1, see Attachment A) for locking the collet chucks onto a connection nipple, the sliding sleeve at least partially surrounding the collet chucks (as plainly observed in Figure 1, see Attachment A);

a guide sleeve (noted in Figures 1 and 2, see Attachments A and B) with longitudinal grooves (parts 3c as noted in Figure 2, see Attachment B) in which the collet chucks are guided; and

a spacer sleeve (noted in Figures 1 and 2, see Attachments A and B) at least partially surrounding the collet chucks (as observed in Figure 1, see Attachment A, the noted "spacer sleeve" partially covers the noted "collet chucks") and the guide sleeve (as clearly observed in Figure 1, see Attachment A), at least a portion of the spacer sleeve being disposed between the sliding sleeve and the collet chucks (as clearly observed in Figure 1, see Attachment A, the noted "spacer sleeve" is between the noted "sliding sleeve" and a portion the noted "collet chucks") such that the collet chucks do not directly contact the sliding sleeve (as observed in Figure 9, see Attachment C, the "collet chucks" do not contact the "spacer sleeve"); and

a sealing piston (noted in Figures 1 and 9, see Attachments A and C) disposed relative to the collet chucks so as to receive at least a portion of the connection nipple between the sealing piston and the collet chucks (the Examiner notes that the term "receive" merely requires direct contact; therefore, as observed in Figure 1, the noted "sealing piston" does "receive" a portion of the "connection nipple" when the "connection nipple" is inserted), the sealing piston forming at least a portion of the connection coupling lumen (as observed in Figure 1, see Attachment A);

wherein the collet chucks are inserted into the longitudinal grooves (as observed in Figure 1, the "collet chucks" traverse from outside the "guide sleeve" and through the "longitudinal grooves" to contact the "connection nipple", therefore the noted "collet chucks" of Lacroix et al are "inserted into the longitudinal grooves");

wherein the guide sleeve comprises a centering incline at the outlet end of the connection coupling (as noted in Figure 1, see Attachment A; the Examiner notes that what constitutes an "end" of an object may be arbitrarily chosen, i.e. in the instant case, the connection coupling may be divided into halves, each half being an "end")

wherein a radially circular annular groove (shaded in Figure 8, see Attachment C) for receiving the radially outer ends of the collet chucks is arranged radially outside of the guide sleeve;

wherein a scraper ring (as observed in Figure 1, see Attachment A, and as observed in Figure 9, see Attachment C) is held radially within the collet chucks around the sealing piston (the Examiner notes that the "connection nipple" is only functionally recited and, as such, the invention of Lacroix et al as shown in Figure 9 meets the claim language);

wherein three collet chucks and three longitudinal grooves are provided in a 120° division in the guide sleeve (as observed in Figure 2, the three "collet chucks" and their respective "longitudinal grooves" are spaced radially apart in three equal arcs of what appears to be 120°).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lacroix et al (U.S. 5,630,570) as applied to claims 1, 3-5, 8, and 9 above, and further in view of Reiter (U.S. 6,202,383).

Lacroix et al disclose the claimed invention except for providing for the use of at least one straight pin to exchangeably fasten the guide sleeve to a front housing part. Reiter teaches the use of a straight pin as an alternative to, or in addition to, screwed-connections to secure the components in a play-free manner (column 8, lines 3-9). As Reiter relates to securing nested tubular components, it would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute, or add to, the threaded connection as used by Lacroix et al a straight pin as taught by Reiter to secure the components in a play-free manner.

***Allowable Subject Matter***

As best understood, claim 6 would be allowable if rewritten to overcome the claim objection concerning clarity as set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.



The following is a statement of reasons for the indication of allowable subject matter: As interpreted by the Examiner, the limitations of claim 6 appear to be drawn to the structure of the annular groove being formed between a shoulder of the sliding sleeve and the spacer sleeve. In the closest prior art of Lacroix et al (U.S. 5,630,570), the space between the shoulder of the sliding sleeve and the spacer sleeve is occupied by the structure of parts 11a, longitudinal extensions of a bush element 11. Lacroix et al parts 11a position the “spacer sleeve” part 9 (column 3, lines 44-46). As such, modifying the prior art of Lacroix et al to possess a groove formed between the shoulder of the sliding sleeve and the spacer sleeve would result in the invention of Lacroix et al not functioning as intended.

#### ***Response to Arguments***

Applicant's arguments with respect to claims 1 and 3-9 have been considered but are moot in view of the new ground(s) of rejection. New grounds of rejection over the prior art of Lacroix et al (U.S. 5,630,570) were necessitated by the following claim 1 amended claim language: in lines 1-2, “the coupling having...therebetween”; in line 3, “collet chucks”; in lines 4-5, “the sliding sleeve... chucks”; in lines 8-9, “at least partially... sleeve”; in lines 12-14, “a sealing piston... lumen”. See rejections above as to specifics.

#### ***Conclusion***

Applicant's amendment (the following claim 1 amended claim language: in lines 1-2, “the coupling having...therebetween”; in line 3, “collet chucks”; in lines 4-5, “the sliding sleeve... chucks”; in lines 8-9, “at least partially... sleeve”; in lines 12-14, “a sealing piston... lumen”)

necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAY R. RIPLEY whose telephone number is (571)272-7535. The examiner can normally be reached on Monday through Friday, 1:30 P.M. - 10:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3679

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aaron M Dunwoody/  
Primary Examiner, Art Unit 3679

/Jay R Ripley/  
Examiner, Art Unit 3679  
16 July 2008